

A regular meeting of the City Commission of The City of Springfield, Ohio, held on Tuesday, May 26, 2015, in the Forum of City Hall, was called to order.

Roll call was answered by Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and President Copeland.

The invocation was offered by Mr. Copeland who then led the assembly in the Pledge of Allegiance.

On motion of Mr. Martin, seconded by Mrs. Duncan, the members approved the minutes of the April 28, 2015, regular meeting as presented.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

FIRST READINGS—ORDINANCES

The following legislation was presented for the first time and requires presentation at a second regular meeting before vote on passage:

113-15 An Ordinance titled, “Vacating the first alley west of Fountain Avenue from Southern Avenue to the first intersecting east-west alley and the first alley north of State Street from approximately 94 feet west of Fountain Avenue to 150 feet west of Fountain Avenue.”

114-15 An Ordinance titled, “Vacating the first alley east of Delta Road from Rice Street north to the first intersecting east-west alley.”

18-15 An Ordinance titled, “Confirming purchases and the obtaining of services for the City and providing for payments therefor.”

140-15 An Ordinance titled, “Authorizing the purchase of three IBM servers, one IBM storage controller and associated high-capacity storage units, and three-year hardware maintenance services for an amount not to exceed \$86,616, from Mapsys, Inc., through the Ohio Department of Administrative Services, pursuant to Ohio’s Cooperative Purchasing Act in accordance with the provisions of Section 125.04 of the Ohio Revised Code; authorizing an expenditure in the amount of \$20,468 for the purchase of software products, installation services, and three-year software maintenance services from Mapsys, Inc.”

141-15 An Ordinance titled, “Authorizing the issuance of a purchase order for the purchase of a stainless steel dump body and bed cover from K.E. Rose Company for an amount not to exceed \$55,745.”

142-15 An Ordinance titled, “Consenting to the painting of the existing structural steel and the sealing of necessary concrete surfaces on the St. Paris Pike bridge over US Route 68 (SFN 1202979) and the Eagle City Road bridge over US Route 68 (SFN 1203126), within the City of Springfield, by the Ohio Department of Transportation (identified as CLA/MOT/SHE VAR, and further identified by PID No. 99859); providing for the maintenance of the right-of-way; and authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project.”

143-15 An Ordinance titled, “Authorizing the City Manager to enter into a Subrecipient Funding Agreement with SBDC, Inc., to provide administrative funds in an amount not to exceed \$90,000 to further the development of small businesses in the City for the period of July 1, 2015, through June 30, 2016.”

144-15 An Ordinance titled, “Authorizing the City Manager to enter into a Subrecipient Funding Agreement (Norm’s Place and Hartley House; 2015-2016) with Interfaith Hospitality Network, Inc., to provide funding from Emergency Solutions Grant allocations in an amount not to exceed \$116,071.”

145-15 An Ordinance titled, “Authorizing the City Manager to enter into a Subrecipient Funding Agreement (C-Saw House; 2015-2016) with Project Woman of Springfield and Clark County, Inc., to provide funding from Emergency Solutions Grant allocations in an amount not to exceed \$26,200.”

146-15 An Ordinance titled, “Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Chapter 918 entitled, *Stormwater Utility Charges*, and repealing existing Chapter 918.”

~~~~~ Next regular City Commission meeting: June 9, 2015. ~~~~~

**SECOND READINGS—ORDINANCES**

The following legislation was presented for a second time:

**124-15** An Ordinance No. 15-143 titled, “Authorizing the City Manager to enter into a Contract for Sale and Purchase of Real Property with HCP CC SNF, LLC in relation to the acquisition of real property interests needed for the CLA-Villa Road Project, PID No. 89421.”

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**125-15** An Ordinance No. 15-144 titled, "Confirming and approving a Cropland Lease Agreement (2015-2020) with Raven Farms, LLC, to lease five acres at 5721 Plattsburg Road, of which 4.8 acres are tillable farm land."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**126-15** An Ordinance No. 15-145 titled, "Authorizing the City Manager to apply for an Assistance to Firefighters Grant from the Federal Emergency Management Agency; authorizing the local matching expenditure; and authorizing the City Manager, Finance Director, and Law Director to perform all acts and execute all documents they consider necessary to fulfill the City's obligations under said grant and to comply with all relevant local, state, and federal legal requirements."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**206-12** An Ordinance No. 15-146 titled, "Confirming and approving Change Order No. 6 to the contract between the City and Kokosing Construction Company, Inc., for the City's Wastewater Treatment Plant Wet Weather and Capacity Improvements Project, to increase the contract in an amount not to exceed \$776,433.84, for a total amount not to exceed \$52,053,151.10; and authorizing the City Manager to execute said Change Order No. 6."

On motion of Mrs. Chilton, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**127-15** An Ordinance No. 15-147 titled, "Authorizing the City Manager to enter into an Agreement with Strand Associates, Inc., for engineering consulting services for the Combined Sewer Overflow Long-Term Control Plan Programmatic Review, for an amount not to exceed \$785,930."

On motion of Mrs. Duncan, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**128-15** An Ordinance No. 15-148 titled, "Amending Ordinance No. 91-90, passed March 12, 1991, and commonly known as the Codified Ordinances of The City of Springfield, Ohio, by the amendment of Section 917.02 titled *Service Charge Rates*, and repealing existing Section 917.02."

On motion of Mr. Martin, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**ORDINANCE DEFEATED**

The following legislation was presented for a second time:

**94-15** On motion of Mr. Martin, seconded by Mrs. Duncan, the Ordinance titled, "Vacating the first alley east of Egmont Avenue from Oakland Avenue south to the first east-west alley," was defeated.

Nays, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 0, Nays 5.

**EMERGENCY ORDINANCES**

The following emergency legislation was presented for the first time:

**147-15** Emergency Ordinance No. 15-149 titled, "Authorizing the City Manager to enter into a renewal contract with United Healthcare for healthcare insurance and medical and prescription drug coverage for City employees for the period July 1, 2015, through June 30, 2016; authorizing the expenditures related thereto; finding a real and present emergency pursuant to Section 145.02 of the City's Codified Ordinances; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**148-15** Emergency Ordinance No. 15-150 titled, "Authorizing the City Manager to enter into a policy of insurance with Aetna Life Insurance Company for group term-life insurance and accidental death and dismemberment insurance for City employees and City Commissioners, and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mrs. Chilton, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**175-13** Emergency Ordinance No. 15-151 titled, "Consenting to bridge deck sealer treatment on bridge decks on US Route 68 over US Route 40 (SFN 1202707 & 1202731), on US Route 68 over the railroad .5 miles south of State Route 41 (SFN 1202944 & 1202855), on State Route 4 over Buck Creek (SFN 1200453), on State Route 72 over Monroe Street, Washington Street, Mill Run, and the railroad (being the first structure south of US Route 40, SFN 1205463), on State Route 72 over US Route 40 (SFN 1205498) and on Saint Paris Pike over US Route 68 (SFN 1202979), within the City of Springfield, by the Ohio Department of Transportation (identified as D07 BRDG Deck Sealing, PID No. 96364); providing for the maintenance of the right-of-way; authorizing the City Manager to enter into agreements with the Director of Transportation of the State of Ohio necessary to complete the project; repealing Ordinance No. 13-186; and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**167-14** Emergency Ordinance No. 15-152 titled, "Amending Ordinance No. 15-108 by correcting the number of annual installments, and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mrs. Chilton, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**149-15** Emergency Ordinance No. 15-153 titled, "Authorizing the City Manager to apply for and accept a Home Fire Sprinkler Coalition (HFSC) stipend in the amount of \$1,000 for a fire and sprinkler burn demonstration kit; and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**150-15** Emergency Ordinance No. 15-154 titled, "Authorizing and directing the City Manager to select certain identified parcels of real estate that constitute non-productive lands and to notify the Prosecuting Attorney or the County Auditor of Clark County, Ohio, as the case may be, pursuant to Sections 5722.03 and 5722.04 of the Ohio Revised Code that the City wishes to acquire said parcels pursuant to the provisions of Ohio Revised Code Chapter 5722 and Ordinance No. 98-293, passed August 25, 1998, and to do all things necessary to acquire said parcels; and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mrs. Duncan, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**151-15** Emergency Ordinance No. 15-155 titled, "Authorizing the City Manager to execute an Interlocal Agreement by and between the City and The Board of County Commissioners of Clark County, Ohio, in connection with the 2015 Byrne Justice Assistance Grant (JAG) Program Award, and declaring an emergency."

On motion of Mr. Martin, seconded by Mr. O'Neill, the ordinance passed.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**EMERGENCY RESOLUTIONS**

The following emergency legislation was presented for the first time:

**73-15** Emergency Resolution No. 5883 titled, "Ordering the construction or reconstruction of curbs, gutters, and sidewalks at Section No. 1 of *STREETS* and Section No. 1 of *SELECTED LOCATIONS* of the 2015 Sidewalk, Curb, and Gutter Program, as enumerated in Resolution No. 5877, and declaring an emergency."

On motion of Mrs. Duncan, seconded by Mr. O'Neill, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**152-15** Emergency Resolution No. 5884 titled, "Reappointing John L. Young to the Clark County Convention Facilities Authority Board of Directors, and declaring an emergency."

On motion of Mrs. Chilton, seconded by Mr. Martin, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

**153-15** Emergency Resolution No. 5885 titled, "Appointing Jerome M. Asebrook to the Historic Landmarks Commission, and declaring an emergency."

On motion of Mr. Martin, seconded by Mrs. Duncan, the resolution was adopted.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

### **LIQUOR PERMITS**

**136-15** On motion of Mrs. Chilton, seconded by Mr. Martin, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit to David G. Welch, dba Dave's Drive Thru, 149 West Washington Street, was ordered received and filed with the City Clerk and the objection contained therein be noted and a hearing requested before the Ohio Department of Liquor Control to be held in Clark County, Ohio

Nays, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 0, Nays 5.

**137-15** On motion of Mr. O'Neill, seconded by Mr. Martin, the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit to Walgreen Company, 2609 East Main Street, was ordered received and filed with the City Clerk.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

**138-15** On motion of , seconded by , the report from the Administration relative to notification from the Ohio Department of Liquor Control of a request to transfer a liquor permit to Walgreen Company, 1880 South Limestone Street, was ordered received and filed with the City Clerk.

Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland.

Yeas 5, Nays 0.

### **COMMUNICATIONS**

The following communications were ordered received and filed:

**89-15** Minutes of the April 20, 2015, meeting of the Board of Zoning Appeals.

**90-15** Minutes of the March 9 and April 13, 2015, meetings of the City Planning Board.

**111-15** File-stamped copy of Ordinance No. 15-111 (2015 Sidewalk, Curb, and Gutter Program, notes and bonds, received by the Clark County Auditor.)

**130-15** File-stamped copy of Ordinance No. 15-135 (2015 East Main and North Limestone Streets Sidewalk, Curb, and Gutter Program, notes and bonds, received by the Clark County Auditor.)

**131-15** File-stamped copy of Ordinance No. 15-139 (2014 Sidewalk, Curb, and Gutter Program, issue bonds, received by the Clark County Auditor.)

**132-15** File-stamped copy of Ordinance No. 15-140 (2014 4 West Main Remediation Project, issue bonds, received by the Clark County Auditor.)

### **COMMENTS ON AGENDA ITEMS**

**146-15** Mrs. Duncan referred to the amendment of Codified Ordinances Chapter 918 titled *Stormwater Utility Charges* and asked if the amendment would represent a major impact on customers.

City Manager Bodenmiller stated that the amendment changes the source of data used to determine the rate charged. The new source is more accurate and helps to identify impervious areas. The new billing method goes into effect with the January, 2016, statements. Anyone with questions about the calculation of a specific bill may contact the Engineering Department's stormwater coordinator.

**94-15** Community Development Director Meadows spoke to the cross-access easement agreement associated with the requested alley vacation in the Egmont and Oakland avenues area and required by the City Planning Board as a prerequisite to vacation and reported that staff members have not received any indication that the agreement was executed and recorded.

**127-15** Mr. O'Neill inquired into the agreement for engineering consulting services for the Combined Sewer Overflow Long-Term Control Plan Programmatic Review.

Service Director Moore stated that engineering consulting services are being obtained in order to comply with the requirements of the programmatic review. A certain amount of study is required in conjunction with the review, which carries an eighteen-month duration. The consultant will assist the City in determining if past decisions and future plans make sense. During the review period, the City can lobby to adjust the course of the long-term control plan.

Mr. Copeland stated he hopes the consultant will help City staff members negotiate a lower cost for the citizens with EPA. The agency is difficult to negotiate with. It will not take our word. The City needs an expert to represent it.

Mr. Bodenmiller remarked that this investment will give the City options and is a good investment, considering the final price tag.

**136-15** City Commissioners discussed the details surrounding a request to transfer a liquor permit from Mr. B's, 194 West Washington Street, to David G. Welch, 149 West Washington Street, including the factors which led the Police Division to object to the transfer.

**COMMENTS FROM THE COMMISSION**

**154-15** In response to Mr. Martin's inquiry, Fire Chief Heimlich reported that investigations are ongoing with regard to the rash of arson fires on the City's east side. Meetings have been held with the prosecutor's office. Fire and police staff members have met. Record searches are underway. One person of interest has been identified. It is important to resolve this issue quickly.

**COMMENTS FROM THE AUDIENCE**

**39-15** Mr. Fred Maine, 1717 East Pleasant Street, stated he was opposed to the construction of a roundabout on Bechtle Avenue. He felt the roundabout would cause confusion for inexperienced drivers and elderly drivers. Larger trucks need more room than is typically provided and so drive over the curb.

Mr. O'Neill was in favor of moving drivers to the signals currently in place on Bechtle Avenue. He noted he was eager to read the study results provided by the City's consultant.

Mr. Martin commented that the volume of traffic on Bechtle is a testament to the City's business development success.

Mr. Copeland added that other traffic issues in the area may not be solved by the roundabout.

**13-15** Mr. Raymond Upshaw, 325 West Liberty, stated he was a nonviolent person being shown disrespect by others. He noted that the country was being destroyed from within.

Mr. Scott Riley, 2061 Hillside Avenue, offered comments on legalizing marijuana.

~ ~ ~ ~ ~

There being no further business, on motion of Mr. Martin, seconded by Mr. O'Neill, the meeting adjourned.  
Yeas, Mmes. Chilton, Duncan, Messrs. Martin, O'Neill, and Copeland. Yeas 5, Nays 0.

  
\_\_\_\_\_  
PRESIDENT OF THE CITY COMMISSION

  
\_\_\_\_\_  
CLERK OF THE CITY COMMISSION